

06-01-01

A

IN THE UNITED STATES OF AMERICA
PATENT AND TRADEMARK OFFICE

11046 U.S. PTO

09/870871



05/31/01

APPLICANTS: John Stephen Cart

TITLE: Composition of Drilling Fluids Comprising Ground Elastomeric Crumb Rubber Material and a Method of Decreasing Seepage and Whole Mud Loss Using Such Composition

DOCKET NO.: 15564-1

BOX PATENT APPLICATION
ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor(s): John Stephen Cart

For (title): Composition of Drilling Fluids Comprising Ground Elastomeric Crumb Rubber Material and a Method of Decreasing Seepage and Whole Mud Loss Using Such Composition

1. Type of Application

This new application is for a(n)

(check one applicable item below)

- ☒ Original (nonprovisional)
- ☐ Design
- ☐ Plant
- ☐ Divisional
- ☐ Continuation
- ☐ Continuation-in-part (C-I-P).

2. Benefit of Prior U.S. Application(s) (35 U.S.C. 119(e), 120, or 121)

- ☐ the new application being transmitted claims the benefit of prior U.S. application(s). Enclosed are ADDED PAGES

FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR
U.S. APPLICATION(S) CLAIMED.

3. Papers Enclosed That Are Required for Filing Date under 37
C.F.R. 1.53(b) (Regular) or 37 C.F.R. 1.153 (Design)
Application

17 Pages of specification
4 Pages of claims
1 Pages of Abstract
2 Sheets of Drawing

☒ formal

☐ informal

☐ The enclosed drawing(s) are photograph(s), and
there is also attached a "PETITION TO ACCEPT
PHOTOGRAPH(S) AS DRAWING(S)." 37 C.F.R. 1.84(b).

4. Additional papers enclosed

☐ Preliminary Amendment

☒ Information Disclosure Statement (37 C.F.R. 1.98)

☒ Form PTO-1449 (PTO/SB/08A and 08B)

☐ Citations

☐ Declaration of Biological Deposit

☐ Submission of "Sequence Listing," computer readable copy
and/or amendment pertaining thereto for biotechnology
invention containing nucleotide and/or amino acid
sequence.

☐ Authorization of Attorney(s) to Accept and Follow
Instructions from Representative

☐ Petition to Make Special

☒ Request for Non-Publication

5. Declaration or oath

☐ Enclosed

Executed by

- ☐ Inventor(s).
- ☐ Legal representative of inventor(s).
37 CFR 1.42 or 1.43.
- ☐ Joint inventor or person showing a proprietary interest on behalf of inventor who refused to sign or cannot be reached.
- ☐ This is the petition required by 37 CFR 1.47 and the statement required by 37 CFR 1.47 is also attached, See item 13 below for fee.

☒ Not Enclosed.

- ☐ Application is made by a person authorized under 37 C.F.R. 1.41(c) on behalf of all the above named inventor(s).
- ☐ Showing that the filing is authorized. (not required unless called into question. 37 CFR 1.41(d))

6. Inventorship Statement

The inventorship for all the claims in this application are:

☒ The same.

or

☐ Not the same. An explanation, including the ownership of the various claims at the time the last claim invention was made,

☐ is submitted.

☐ will be submitted.

7. Language

☒ English

☐ Non-English

☐ The attached translation is a verified translation.
37 C.F.R. 1.52 (d).

8. Assignment

☐ is included.

☐ will follow.

9. Certified Copy

Certified copy(ies) of application(s)

County	Appln. no.	Filed
County	Appln. no.	Filed

from which priority is claimed

☐ is (are) attached.

☐ will follow.

528469_1

10. Fee Calculation (37 C.F.R. 1.16)

A. ☒ Regular application

CLAIMS AS FILED

	Number Filed		Number Extra	Rate	Basic Fee 37 CFR 1.16(a)
					\$710.00
Total Claims (37 CFR 1.16(c))	15	- 20 <	0	x \$18.00	0
Independent Claims (37 CFR 1.16(c))	4	- 3 =	1	x \$80.00	80.00
Multiple dependent claim(s), if any (37 CFR 1.16(d))	0			+ \$260.00	0

- ☐ Amendment cancelling extra claims enclosed.
- ☐ Amendment deleting multiple-dependencies enclosed.
- ☐ Fee for extra claims is not being paid at this time.

Filing Fee Calculation: \$ 790.00

B. ☐ Design application
(\$310.00--37 CFR 1.16(f))

Filing fee Calculation \$ _____

C. ☐ Plant application
(\$480.00--37 CFR 1.16(g))

Filing fee calculation \$ _____

11. Small Entity Statement(s)

- ☐ Statement(s) by inventor(s) that this is a filing by a small entity under 37 CFR 1.9 and 1.27 is (are) attached.

[X] will follow

(complete the following, if applicable)

[] Status as a small entity was claimed in prior application
_____/_____, filed on _____,
from which benefit is being claimed for this application
under:

35 U.S.C. [] 119(e),
 [] 120,
 [] 121,
 [] 365(c),

and which status as a small entity is still proper and
desired.

[] A copy of the verified statement in the prior application
is included.

Filing Fee Calculation (50% of A, B or C above) \$_____

12. Request for International-Type Search (37 CFR 1.104(d))

(complete, if applicable)

[] Please prepare an international-type search report for
this application at the time when national examination on
the merits takes place.

13. Fee Payment Being Made at This Time

[] Not Enclosed

[] No filing fee is to be paid at this time.

[X] Enclosed

[X] Basic Filing Fee \$790.00

[] Recording assignment
(\$40.00; 37 CFR 1.21(h))
(See attached "COVER SHEET FOR ASSIGNMENT
ACCOMPANYING NEW APPLICATION".) \$_____

[] Petition fee for filing by other than all the
inventors or persons on behalf of the inventor

where inventor refused to sign or cannot be reached. (\$130.00; 37 CFR 1.47 and 1.17(h)) \$_____

☐ For processing an application with a specification in a non-English language. (\$130.00; 37 CFR 1.52(d) and 1.17(k)) \$_____

☐ Processing and retention fee \$130.00; 37 CFR 1.53(d) and 1.21(1)) \$_____

☐ Fee for international-type search report (\$40.00; 37 CFR 1.21(e)) \$_____

Total fees enclosed \$790.00

14. Method of Payment of Fees

- ☒ Check in the amount of \$790.00
☐ Check in the amount of _____
☐ Charge Account No. _____ in the amount of \$_____. A duplicate of this transmittal is attached.

15. Authorization to Charge Additional Fees

☒ The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No. 11-0245:

☒ 37 CFR 1.16(a), (f) or (g) (filing fees)

☒ 37 CFR 1.16(b), (c) and (d) (presentation of extra claims)

☒ 37 CFR 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)

☒ 37 CFR 1.17 (application processing fees)

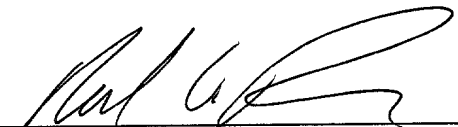
☐ 37 CFR 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 CFR 1.311(b))

16. Instructions as to Overpayment

☒ Credit Account No. 11-0245

[] Refund

MAY 31 2001


Russel O. Primeaux, Reg. No. 37,213
John D. Lauve, Reg. No. 46,408
KEAN, MILLER, HAWTHORNE, D'ARMOND,
MCCOWAN & JARMAN, L.L.P.
Post Office Box 3513
Baton Rouge, Louisiana 70821
Tel. No. (225) 382-3454
Fax No. (225) 388-9133

[] Incorporation by reference of added pages
(check the following item if the application in this
transmittal claims the benefit of prior U.S.
application(s) (including an international application
entering the U.S. stage as a continuation, divisional or
C-I-P application) and complete and attach the ADDED
PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF
PRIOR U.S. APPLICATION(S) CLAIMED)

[] Plus Added Pages for New Application Transmittal
Where Benefit of Prior U.S. Application(s) Claimed

Number of pages added _____

[] Plus Added Pages for Papers Referred to in Item 4
Above

Number of pages added _____

[] Plus ``Cover Sheet for Assignment Accompanying New
Application''

Number of pages added 0

Statement Where No Further Pages Added

[X] This transmittal ends with this page.

IN THE UNITED STATES OF AMERICA
PATENT AND TRADEMARK OFFICE

APPLICANT: John Stephen Cart

Title: Composition of Drilling Fluids Comprising Ground Elastomeric Crumb Rubber Material and a Method of Decreasing Seepage and Whole Mud Loss Using Such Composition

Docket No.: 15564-1

EXPRESS MAIL CERTIFICATE

"Express Mail" Label Number: EL624378650US

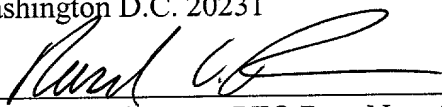
Date of Deposit: May 31, 2001

I hereby certify that the following attached paper or fee:

- New Application Transmittal (8 pages)
- Request for Non-Publication
- Deposit Account Authorization and Request (2 pages)
- Patent Application (17 pages of Specification, 1 page of Abstract, 4 pages of Claims, 2 sheets of Drawings)
- Information Disclosure Statement with Form PTO/SB/08A (with 15 patents)
- Check in the amount of \$790.00; and
- Postage paid and self-addressed return postcard;

is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Box Patent Application, Assistant Commissioner for Patents, Washington D.C. 20231

Date: MAY 31 2001


Russel O. Primeaux, PTO Reg. No.: 37,213
John D. Lauve, PTO Reg. No.: 46,408
KEAN, MILLER, HAWTHORNE, D'ARMOND,
MCCOWAN & JARMAN, L.L.P.
Post Office Box 3513
Baton Rouge, Louisiana 70821
Tel. No. (225) 382-3454
Fax No. (225) 388-9133

**REQUEST AND CERTIFICATION
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

First Named Inventor

John Stephen Cart

Title

Composition of Drilling Fluids Comprising Ground Elastomeric Crumb Rubber.

Atty Docket Number

15564-1

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

MAY 31 2001

Date



Signature

Russel O. Primeaux, Reg. No. 37,213

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**